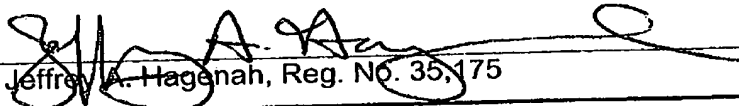


RECEIVED
CENTRAL FAX CENTER

OCT 23 2006

Facsimile Cover Sheet

For Transmission to the United States Patent and Trademark Office

To:	U.S. Patent and Trademark Office	
	Fax. No.	(571) 273-8300
	Application No.	10/813,745
	Filing Date:	March 31, 2004
	Confirmation No.:	5848
	Examiner:	Robert J. Balls
	Art Unit:	1625
	Attorney Docket No.	P-162-US1
From:	Theravance, Inc.	
	Attorney:	Jeffrey A. Hagenah
	Reg. No. :	35,175
	Customer No.:	27038
	Address:	901 Gateway Boulevard South San Francisco, California 94080
	Telephone No.:	(650) 808-6406
	Fax. No.:	(650) 808-6078
	Date:	October 23, 2006
No. of Pages :	40 (including this page)	
<u>Certificate of Facsimile Transmission</u>		
<i>I hereby certify that this correspondence is being transmitted via Facsimile Number (571) 273-8300 to the United States Patent and Trademark Office, on the date indicated above.</i>		
Signature :		
Printed Name :	Jeffrey A. Hagenah, Reg. No. 35,175	

The information contained in this facsimile is intended solely for use by the United States Patent and Trademark Office. If this facsimile is received in error, please notify the sender and destroy the facsimile.

PTO/SB/21 (09-04)

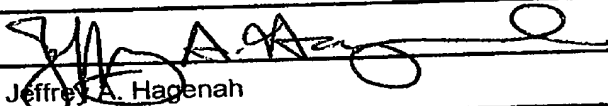
Approved for use through 07/31/2008. OMB 0651-0031

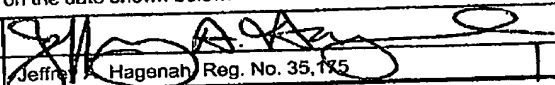
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/813,745	RECEIVED CENTRAL FAX CENTER OCT 23 2006
	Filing Date	March 31, 2004	
	First Named Inventor	Mammen et al.	
	Art Unit	1625	
	Examiner Name	Robert J. Balls	
Total Number of Pages in This Submission	40	Attorney Docket Number	P-162-US1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply (38 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Page (1 page)
Remarks No fees are believed to be due for submission of this paper. In the event, however, that any fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-0344 (in the name of Theravance, Inc.)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Theravance, Inc.		
Signature			
Printed Name	Jeffrey A. Hagenah		
Date	October 23, 2006	Reg. No.	35,175

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature		Date	October 23, 2006
Typed or printed name	Jeffrey A. Hagenah	Reg. No.	35,175

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

OCT-23 2006

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted on the date shown below via facsimile to the Commissioner for Patents, United States Patent and Trademark Office at the facsimile number indicated.

Dated: October 23, 2006Facsimile Number: (571) 273-8300By: 

Jeffrey A. Hagcnab, Reg. No. 35,775

PATENT
Attorney Docket No. P-162-US1
Customer No. 27038**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of)

MAMMEN et al.)

Application No.: 10/813,745)

Filed: March 31, 2004)

For: DIARYLMETHYL AND RELATED)
COMPOUNDS)

Confirmation No. 5848

Group Art Unit: 1625

Examiner: Robert J. Balls

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. INTRODUCTORY REMARKS

This reply is being filed in response to the Office Action dated September 29, 2006, in the above-identified patent application. The Office Action set a one-month period for response and therefore, this reply is due on or before October 30, 2006 (since October 29th is a Sunday). In response to the Office Action, consideration of the following remarks is respectfully requested.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 36 of this paper.

BEST AVAILABLE COPY